

Application No. 08/995,715

8

Docket No.: 00971/000D319-US0

**REMARKS**

An Amendment After Final Rejection was submitted on April 16, 2004.

An Advisory Action was issued on May 7, 2004, in which the Examiner refused to enter the Amendment After Final Rejection on the ground that it raised a new issue. In a telephone conversation held between the Examiner and Gordon D. Coplein after the Advisory Action was issued, the Examiner indicated that the reason why the Amendment After Final Rejection was not entered was because the Examiner felt that the claims did not clearly distinguish over Thompson, U.S. 5,506,597.

A Request for Continued Examination was filed on May 17, 2004 which requested entry of the claims in the Amendment After Final Rejection dated April 16, 2004.

On May 24, 2004, the undersigned presented materials previously submitted that were believed to show the difference in structure between the subject invention and the Thompson patent. These materials were the discussion of the Thompson patent presented in the remarks at pages 11 and 12 of the Amendment dated March 21, 2001, and the Exhibit attached to the amendment of August 6, 2001, which described the present invention.

Also submitted on May 24, 2004 was a proposed amendment to independent claim 48. That proposed amendment was discussed in a telephone interview between the Examiner and Gordon D. Coplein on May 27, 2004. The Examiner indicated that such amendment appeared, subject to final review, to patentably distinguish claim 48 over the Thompson patent.

The amendment to claim 48 discussed in the May 27, 2004 telephone interview is presented in this amendment. The same amendment is also made to independent claim 69. It is not believed to be necessary to make the amendment to independent claim 57 since clause c) of claim 57 makes it clear that it is the beam components of the raster element copies generated in clause b) that are being modulated.

It is submitted that the foregoing amendment clearly places the application in condition for allowance and it is requested that the application promptly be allowed.

{W:\00971\000d319us0\00193774.DOC \*00971000D319US0\* }

Application No.: 08/995,715

9

Docket No.: 00971/000D319-US0

The Examiner is requested to call the undersigned at 770-393-2820 to discuss any problem that the Examiner might consider to be present that stands in the way of the allowance of this application.

Prompt and favorable Action is requested.

Dated: June 1, 2004

Respectfully submitted,

By Gordon D. Coplein

Gordon D. Coplein

Registration No.: 19,165

DARBY & DARBY P.C.

P.O. Box 5257

New York, New York 10150-5257

(212) 527-7700

(212) 753-6237 (Fax)

Attorneys For Applicant

{W:\00971\000d319us0\00193774.DOC \*00971000d319US0\* }